

Bill No. 19-09  
Concerning: Board of Investment  
Trustees - Membership  
Revised: May 11, 2009 Draft No. 3  
Introduced: April 14, 2009  
Expires: October 14, 2009  
Enacted: May 13, 2009  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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By: Council President at the Request of the County Executive

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**AN ACT** to:

- (1) create ~~[[an]]~~ additional ~~[[*ex officio* member]]~~ members with an indefinite term of office and delete ~~[[an employee member]]~~ certain members of the Board of Investment Trustees;
- (2) amend the law establishing the Board of Investment Trustees; and
- (2) generally amend the law regarding the employees' retirement system.

By amending

Montgomery County Code  
Chapter 33, Personnel and Human Resources  
Section 33-59

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
<b>[Single boldface brackets]</b>	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
<b>[[Double boldface brackets]]</b>	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*

**Sec. 1. Section 33-59 is amended as follows:**

**Sec. 33-59 Board of Investment Trustees.**

\* \* \*

(b) Membership.

(1) The Board has 13 trustees.

(2) The County Executive must appoint ~~[4]~~ ~~[[5]]~~ 4 voting, *ex officio* members of the Board, subject to County Council confirmation as members, who serve indefinitely while each holds the respective office. These *ex officio* trustees should be:

(A) the Director of Management and Budget;

(B) the Director of Finance;

(C) the Director of Human Resources; ~~[and]~~ and

(D) the Staff Director of the County Council~~[[;]]~~ ~~[[and]]~~;

(3) The County Executive must appoint 2 voting certified employee organization representatives, subject to County Council confirmation, as members of the Board, who serve indefinitely while each remains the designee of the certified employee representative. These trustees must not vote on any matter involving the County deferred compensation plan. These trustees should be:

~~[[E]]~~ (A) one representative nominated by the employee organizations certified as the representative for the Office, Professional, and Technical (OPT) and Service, Labor and Trades (SLT) bargaining units ~~[[This trustee may not vote on any matter involving the County deferred compensation plan]]~~; and

~~[[F]]~~ (B) one representative nominated by the employee organization certified as the representative for the fire and rescue employee unit.

~~[[3]]~~ (4) The following ~~[9]~~ ~~[[8]]~~ 7 trustees must be appointed by the Executive and confirmed by the Council:

(A) ~~[Three]~~ ~~[[Two]]~~ One active County ~~[[employees, one [each] of whom]]~~ employee who is a member of [a different collective bargaining unit] an employee organization certified under Article V ~~[[and one of whom is a member of an employee organization certified under Article X]],~~ and who ~~[[are]]~~ is a vested ~~[[members]]~~ member of the retirement system, or ~~[[individuals]]~~ an individual recommended by ~~[[each]]~~ the employee organization certified under ~~[[Articles]]~~ Article V ~~[[, [VII, or] and X]].~~ ~~[[Each]]~~ The employee organization may recommend 3 to 5 individuals for the respective trustee position. Before appointing ~~[[these trustees]]~~ this trustee, the Executive must consider, and should select from, the individuals recommended by the employee ~~[[organizations]]~~ organization. ~~[[The Executive must not appoint more than one person from each employee organization.]]~~ The Executive must notify the Council when appointing an individual not recommended by an employee organization. A 3-year term for ~~[[these trustees]]~~ this trustee ends on March 1 of every third year after each trustee is confirmed by the Council. Any trustee appointed under this subparagraph must not vote

54 on any matter involving the County deferred  
55 compensation plan.

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57 *Approved:*

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Philip M. Andrews, President, County Council Date

60 *Approved:*

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Isiah Leggett, County Executive Date

62 *This is a correct copy of Council action.*

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Linda M. Lauer, Clerk of the Council Date